IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 26741 of 2003

Between:

Karam Anantha Ramulu, S/o Late Banguraiah,
R/o Near Old Sitarama Public School, Bandarugudem Village, Manugur

Mandal, Khammam District.

... PETITIONER

AND

1 The Special Deputy Collector (TW), Bhadrachalam, Khammam District.
2 The Project Officer, ITDA, Bhadrachalam,
Khammam District.
3 The Asst.Director Survey & Land Records, Collectorate, Khammam.
4 The Mandal Revenue Officer, Manugur Mandal, Khammam District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ or direction preferably Writ of Mandamus declaring the action of the respondents in not implementing the order passed by the 1st respondent issued in LTR Case No.50/2000/MGR dated 24-4-2000 and consequential proceedings issued by the 2nd respondent in his note proceedings Rc.No.CC/ITDA/LTR/32/2003, dated 21-10-2003 are illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents 3 and 4 to implement the above orders without any further delay

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court made the following order:

ORDER:

Heard the learned counsel appearing for the petitioner as well as the Government Pleader for Social Welfare appearing for the respondents.

Petitioner seeks the implementation of the order passed by the Special Deputy Collector (Tribal Welfare), Bhadrachalam, issued in LTR Case No.50/2000/MGR dated 24.04.2000 and the consequential proceedings issued by the Project Officer, ITDA, Bhadrachalam, in his note proceedings Rc.No.CC/ITDALTR/32/2003 dated 21.10.2003.

The first respondent by the said proceedings dated 24.04.2000 ordered the ejectment of a non-tribal viz., Kuthumbaka Krishna Murthy, or whoever is in possession of the immovable property bearing Sy.No.138/2 admeasuring 4 acres situated in Manuguru village of Khammam district and directed to restore the possession of the same in favour of the petitioner or his legal heir under the cover of panchanama. As the said order was not implemented the Project Offircer, Integrated Tribal Development Agency, vide his proceedings Rc.No.A3/ITDA/393/2003 dated 06.05.2003 requested the Mandal Revenue Officer, Manuguru to take necessary steps for implementation of the said order dated 24.04.2000. Accordingly, the Project Officer, ITDA, Bhadrachalam, also issued a note in Rc.No.CC/ITDA/LTR/32/2003 dated 21.10.2003 to the Assistant Director, Survey & Land Records, Collectorate, Khammam, submitting that the Mandal Revenue Officer, Manuguru, was directed to locate the Sy.No.138/2 to an extent of 12 acres to be restored to the petitioner along with other lands covered by different orders. The Assistant Director, Survey and Land Records, Collectorate, Khammam, was requested to depute Dy.Inspector of

Surveyor to Manuguru mandal for identification of the suit scheduled lands as mentioned above in the said note immediately, so as to enable to locate the land and hand over to the tribals in whose favour the orders have been passed.

Having regard to the facts and circumstances of the case, there cannot be any justification on the part of the respondents in not implementing their own orders.

Accordingly, the writ petition is allowed directing the respondents to implement the impugned orders within eight weeks from the date of receipt of this order. No costs.

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V. ESWARAIAH, J

March 11, 2005

Dsk

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this

Friday the Eleventh day of March Two thousand and Five.

To

1 The Special Deputy Collector (TW), Bhadrachalam, Khammam District.
2 The Project Officer, ITDA, Bhadrachalam,
Khammam District.
3 The Asst.Director Survey & Land Records, Collectorate, Khammam.
4 The Mandal Revenue Officer, Manugur Mandal, Khammam District.

5 Two CCs to GP For Social Welfare, High Court Buildings, Hyderabad (OUT)

6 Two CD Copies.